

thereon, it gave a Deed of Trust to Peoples Agency, Inc. of Pennsylvania, a Pennsylvania corporation, (hereinafter, Peoples). After default under the terms thereof, Peoples instituted proceedings for a Trustee's sale, and purchased the subject property thereat. The Plaintiffs herein are subsequent purchasers of certain parcels of the subject property from Peoples or its successors in interest.

3. The property description of Section Two, Point-of-Rocks Estates, in the subject Deed of Trust, refers to certain lots on a plat "intended to be recorded". The plat to which such references was made was never recorded, and was apparently a preliminary plat of a subdivision thereof. A final plat for the same property, but containing different lot sizes, locations and numbers, was actually recorded at Plat Book 5, folio 164, Plat Records of Frederick County, Maryland. The Deed of Trust references were never corrected to reflect the changes in lot sizes, locations and numbers between the preliminary plat and the final recorded plat. As a result there are certain discrepancies in lot descriptions between the Deed of Trust and the recorded plats, thereby clouding title to those properties.

ALLEGATIONS

4. In 1967 and 1968, Point-of-Rocks Estates, Inc. purchased the property that is the subject of this action, by virtue of the following deeds: a) Deed dated August 14, 1967, recorded at Liber 770, folio 201, Land Records of Frederick County (Ex. 1); b) Confirmatory Deed dated May 28, 1968, recorded at Liber 783, folio 694, in such records (Ex.2); (c) Deed dated August 21, 1968, recorded at Liber 789, folio 423, in such records (Ex. 3). (All references, infra, to recorded records or plats are to the Land or Plat Records of Frederick County, Maryland.)

5. The deeds marked Exhibit 1 and Exhibit 2 were subdivided into Section One, Point-of-Rocks Estates, as shown by a plat recorded in Plat Book 5, folio 108.